

REMARKS

Initially, applicants would like to express their appreciation to the Examiner for discussing the present application with applicants' representative on October 14, 2004.

As discussed during the interview, it is submitted that the finality of the Official Action is improper. This is based upon the fact that the claims were amended prior to the Official Action and the Examiner presented additional reasons for the rejections based upon the new limitations. The additional rejections, as well as the new limitations, indicate that new issues were raised, thus making the finality improper. Accordingly, withdrawal of the finality of the Official Action is respectfully requested.

In response to the §112 rejections, the Examiner's attention is respectfully directed to MPEP §2164.08(c). It is submitted that the location to which the unformatted data is forwarded is not critical. Two different embodiments are described in paragraphs 180 - 182, and Figs. 10a and 10b. In one embodiment, the data is forwarded from the SCP to a data distributor. In the other embodiment, the data is forwarded from the SCP to a front end server. Due to the non-criticality of the forwarding destination, it is requested that the Examiner withdraw the §112 rejections.

An embodiment of the present invention is directed to sampling calling data provided by a switch to a service control point (SCP). The SCP receives normal queries from the switch including standard call processing data. That is, the switches generate the basic data

for call identification and handling as they would for any call. The SCP then samples data, i.e., selects data (without formatting the data), similar to station message detail recording (SMDR) data that would be provided directly from the switches to an SMDR host in a conventional system. Without formatting the data into SMDR data, the SCP forwards the data to another network element. The data is eventually formatted into an SMDR format at the other network element. *See* specification, para. [0188].

The Examiner has rejected all of the outstanding claims under 35 U.S.C. §103. Applicants respectfully traverse.

As acknowledged by Examiner MWANYOHA on page 3 of the January 13, 2004, Official Action, SBISA ('853) teaches the conventional process in which the SCP creates a SMDR formatted report (i.e., formats the data). In contrast, the independent claims require forwarding of unformatted data from the SCP (or call processor), or formatting the data in a location other than the SCP, e.g., a data distributor or front end server. NOLTING, SBISA '741, SAPRA et al., MOTT et al., HERBERT, and SCHLOSSMAN also do not teach or suggest such a limitation. Accordingly, withdrawal of the rejections is respectfully requested.

Claims 13, 16, and 20 recite additional network elements not shown or suggested by any of the applied references. For example, claim 13 recites a front end server in a private

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network. Thus, for these additional reasons, it is requested that the Examiner withdraw the rejections of claims 13, 16, and 20.

Applicants further assert that dependent claims 2 - 5, 8 - 14, 15, 17 - 19, and 21 - 23 are allowable over the applied prior art, at least because each depends, directly or indirectly, from an allowable independent claim as well as for additional reasons relating to their own recitations. Accordingly, for each of these reasons it is requested that the Examiner indicate the allowability of all of the currently pending claims.

Should the Examiner have any questions concerning this paper or the present application, the Examiner is respectfully requested to contact the undersigned at the telephone number listed below.

Respectfully submitted,
H. FLEISCHER et al.

Reg. No. 29,027



Bruce H. Bernstein
Reg. No. 29,027

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GREENBLUM & BERNSTEIN, P.L.C.
1950 Roland Clarke Place
Reston, VA 20191
(703) 716-1191